

As I have pointed out, it is a mistake to view this growth—and the new prosperity for American families that it entails—primarily as an achievement of government. It is the American worker, the American job creator, and the American entrepreneur who has grown our economy faster than 4 percent this quarter, who has driven the number of Americans filing for unemployment benefits to its lowest level in over 48 years and created 3.7 million jobs since the 2016 election, and who has repatriated more than \$300 billion from overseas in the first quarter of this year alone, according to the Commerce Department, bringing that money home to our country.

This is what free enterprise can achieve when Washington, DC, stops raising taxes, stops micromanaging the economy through the sprawling regulatory State, and stops presuming it is better to funnel money and power to bureaucrats than to trust hard-working families and small business owners to live their own lives. So it is the American people who deserve the credit for the successes of their economy.

Here is what this united Republican government is doing: cutting their taxes, rolling back the redtape, and mowing down one hurdle after another that has held our country back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Mr. President, on Friday, the chairman of the Judiciary Committee, CHUCK GRASSLEY, sent a letter to the George W. Bush Library requesting only a small portion of Judge Kavanaugh's records. Traditionally, letters from the Senate Judiciary Committee requesting the records for a Supreme Court nominee have been bipartisan and complete. When Democrats were in the majority, we joined with the Republican minority to request all—not some, all—of Elena Kagan's White House documents. When Democrats were in the majority, we joined with the Republican minority to request all—not some—of Judge Sotomayor's documents. At Republicans' insistence, that included documents from 30 years ago, when she served as a board member of the Puerto Rican Legal Defense and Education Fund, because they had questions about her views on certain of those

issues. It was a request that we thought stretched a little far, but we went along for the sake of transparency and openness. So this idea that it should be only the legal records is totally undone and gainsaid by what they requested of Judge Sotomayor.

Now the Republicans are in the majority, and the shoe is on the other foot. Chairman GRASSLEY, unfortunately, has broken with all precedent and refused Democratic requests for Judge Kavanaugh's full record. He sent a letter to the Archivist at 5 p.m. Friday—that is usually a time when people do things they don't want people to catch wind of—making such a request.

My Republican colleagues know that this was wrong. That is why they sent it so late on a Friday, hoping to bury it. This letter makes it clear that Republicans intend to block the Senate and the American people from access to the bulk of Judge Kavanaugh's White House records.

So the question looms: What are they hiding? What are they afraid of? Why wouldn't they grant the kind of openness to records that America prides itself on? Why wouldn't they grant a request for openness of records when we are going to vote on someone who will have huge power over the lives of average Americans for a whole generation? Why shouldn't we see what that record is about before we vote?

In this letter, Senate Republicans are requesting only documents from 2 of the 5 years that Judge Kavanaugh was in the White House—only documents from his time in the White House Counsel's office, not as Staff Secretary. But Staff Secretary was the most senior job in the White House the nominee held. In Judge Kavanaugh's own words, the position of Staff Secretary was hugely influential in his career. He worked there during a time of great controversy.

Over the weekend, the New York Times reported, for instance, that as Staff Secretary, Brett Kavanaugh likely oversaw President Bush's controversial signing statements on torture. By his own account, he was involved in President Bush's decision to select a Supreme Court Justice. Why the heck that is not relevant to choosing him as a Supreme Court Justice is beyond explanation. They can't give an explanation; they just want to rush it through.

There is no good reason to argue that Judge Kavanaugh's time as Staff Secretary isn't relevant to understanding what kind of Justice he might be. Yet, Senate Republicans requested none—absolutely none—of the records from this period in Kavanaugh's career. What are they hiding?

Worse yet, here is what we learned Friday, amazingly: The documents we are going to receive are being screened by a partisan lawyer with ties to President Trump and Steve Bannon. That is right. The lawyer who is going over these documents, who is screening them, not only has ties to President

Trump but also to Steve Bannon, one of the most partisan people this administration has ever seen.

My Republican friends are checking all the boxes on the obstruction list—hiding documents, collaborating with political operative lawyers, and then causing the process to slow down so that there is as little time for the American people to review the documents as possible. A bipartisan letter should have been sent 2 weeks ago.

When Democrats were in charge, that is what we did. We didn't tell the Republican minority: You can have this request and not that. Senator GRASSLEY says: Well, there was never a White House Counsel, a White House Secretary. What is the difference?

As Republicans, they requested Judge Sotomayor's records for the Puerto Rican Legal Defense and Education Fund 30 years earlier. We didn't say: That is a difference. Every request was granted. Why are they not being granted now? They are hiding something is what many people would say.

I hope my colleagues will bring these political games to an end, for the sake of our country, for the sake of comity, and for the sake of bipartisanship. Our Republican friends talk a game of bipartisanship but never seem to act it out. And they invoke a double standard: What was good for them when they were in the minority is not good for us while we are in the minority.

The Senate and the American people deserve access to the full records from the man who has been nominated to a lifetime appointment in such a powerful position as Justice of the Supreme Court. I hope my colleagues on the Republican side will bring these games to an end.

#### NOMINATION OF BRITT GRANT

Mr. SCHUMER. Mr. President, on Britt Grant, the new nominee for the Eleventh Circuit Court of Appeals—Britt Grant, throughout her career, has expressed views far outside the mainstream. When you read this list, you will say: How did they come up with someone so on the fringe? She is not someone who is a mainstream conservative, but way out there.

As solicitor general, she defended a law that made it illegal for doctors to perform an abortion after 20 weeks of pregnancy and assisted on an amicus brief arguing that defining marriage as between a man and a woman does not violate the Constitution's guarantee of equal protection.

She worked on a brief for the Supreme Court that defended a Georgia prosecutor's decision to strike Black jurors based on their race. She led Georgia's challenge to DACA, even though 85, 90 percent of all Americans are for DACA.

Before becoming Georgia's solicitor general, she argued against the Affordable Care Act, assisted on an amicus brief defending Indiana's defunding of Planned Parenthood, urged the Supreme Court to gut the Voting Rights

Act, and argued to strike down the Affordable Care Act's contraception coverage mandate.

So from reproductive rights to civil rights to gun safety, name a partisan legal case from the past 5 years, and there is a good chance that Britt Grant has been involved, taking up a fringe legal argument—way out of the American mainstream—to weaken well-established rights and overturn precedent in pursuit of an ideological objective.

I would also like to bring to my colleagues' attention that in speeches and in handwritten notes—even with this extreme record—Judge Brett Kavanaugh has repeatedly praised Britt Grant's record. In fact, Kavanaugh called Britt Grant “a superb solicitor general of Georgia.” That is someone with these extreme views.

Judge Kavanaugh's ringing endorsement of Britt Grant's record may serve as a window into his own judicial philosophy. It makes you wonder: What, exactly, does Judge Kavanaugh agree with her on so that he would call her so many laudatory things?

Does he agree with Britt Grant that a woman's constitutional, guaranteed freedom to make her own reproductive choices should be curtailed, even though an overwhelming majority of Americans support Roe? Does he believe, like Britt Grant, that States should be able to define marriage as only between a man and a woman, even though the Supreme Court has declared things the other way? Does he believe, like Britt Grant, that insurers shouldn't have to provide contraceptive coverage?

Britt Grant is the kind of lawyer Judge Kavanaugh, in his own words, considers “superb.” Maybe that is why they both ended up on the same short list of 25 potential out-of-the-mainstream court nominees—out of the mainstream because they were vetted by the Heritage Foundation, which believes that the government should not be involved in healthcare, and by the Federalist Society, whose leader's goal is to repeal Roe v. Wade, even though 71 percent of Americans are against that repeal.

Whether you are a Democrat or a Republican or Independent, you should want a better process for choosing judges. The American people deserve judges from the legal mainstream who will interpret the law rather than make it, who will respect and defer to precedent unless there is a darn good reason not to—not just folks picked off some list prevetted by extreme conservative groups that don't represent what a majority of Americans think, and they probably don't even represent what a majority of Republicans think. But the Republican majority has been advancing an assembly line of nakedly partisan, ideological judges like Britt Grant. That Judge Kavanaugh has praised her record so roundly is concerning.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WICKER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Britt Cagle Grant, of Georgia, to be United States Circuit Judge for the Eleventh Circuit.

The PRESIDING OFFICER. The Senator from Mississippi.

#### NATIONAL FLOOD INSURANCE PROGRAM

Mr. WICKER. Madam President, I intend to speak for a few moments as in morning business concerning the National Flood Insurance Program, which is set to expire tomorrow night at midnight, July 31, and which certainly this body will not allow to expire. We will undoubtedly reauthorize the program and not leave millions of Americans without flood protection at the height of the Atlantic hurricane season.

The House has sent us legislation that provides for a clean reauthorization, temporary as it may be. It will keep the program going without injecting reforms or changes, and it reassures homeowners and property owners across the country who rely on this program that it will still be there and that they can count on it.

We are not bathing ourselves in glory by doing this. I think we would all acknowledge that passing this reauthorization right before the deadline does not entitle us to pat ourselves on the back. Instead, it should motivate Members to work across the aisle to provide meaningful reforms. I have a suggestion or two for some meaningful reforms when we take this up on a permanent basis.

We may have assured Americans today and tomorrow that when we act on this, they can rely on the National Flood Insurance Program through No-

vember, but we need to assure them that they can rely on the program for the next year, for the next 5 years, or for 10 years. That will be a challenge over the next several months.

We need to make this program financially sustainable for the long term, but we also need to assure property owners that they are not going to be hit with a huge insurance bill they can't afford. History does not provide the public with very much encouragement with regard to actually getting some reforms done. We have to keep it going with a patchwork.

Out of the 41 times that the National Flood Insurance Program has been reauthorized over the past 20 years, reforms have been included only 3 times out of 41. That is not a great record. I hope that before the end of this calendar year, we can add a fourth substantive change to make some progress.

One thing I hope we can do is to enact the changes to the COASTAL Act in a bill that I have introduced called the COASTAL Implementation Act. If you recall, after Hurricane Katrina, we saw how discrepancies between wind damage and water damage on the total-loss properties often prevented property owners from being made whole. There was a dispute between the flood insurance folks and the wind insurance folks, and the property owner was caught in the middle.

The COASTAL Act and the followup COASTAL Implementation Act seeks to address these discrepancies with better data collection and more accurate poststorm assessments. More specifically, we want NOAA, or the National Oceanic and Atmospheric Administration, to be able to assess the strength of wind and water at affected sites. With sound data, the property owners can receive fair compensation for their losses—some, perhaps, from the flood insurance coverage, and some from the wind insurance coverage. Reducing cases of “indeterminate losses” would ultimately reduce costs to the National Flood Insurance Program and better serve the public.

My other reform proposal also seeks to arm us with better data. I call this legislation the MEMA Act, which stands for Municipality Empowerment Mapping Achievement. Under this act, FEMA would publish the NFIP's rate maps. These maps would cover the entire United States, and they would be created using the latest technology. Information on an area's flood hazard risks should be accessible and comprehensive.

Accurate maps can also help to draw businesses to our smaller communities. Without this information, these businesses might go to a nearby urban area to invest. The playing field should be leveled in this regard. Other ideas, such as competition from the private sector, can help to bring down high flood insurance rates.

What we don't want to do is to drive folks away from coastal areas. Forty